

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

LOUISE LENOIR

PLAINTIFF

v.

Civil Action No. 5:19-cv-23 DCB-MTP

DOLGENCORP, LLC doing business as
DOLLAR GENERAL STORE

DEFENDANT

COMPLAINT
(Jury Trial Demanded)

Louise Lenoir files this complaint for damages against Dolgencorp, LLC doing business as Dollar General. The plaintiff states the following in support of her claims.

PARTIES

1. The plaintiff Louise Lenoir is an adult citizen of Mississippi who resides at 1030 Lenoir Road, Magnolia, Mississippi 39652.

2. The defendant Dolgencorp, LLC doing business as Dollar General Store is a Kentucky limited liability company. The defendant's registered agent for service of process is Corporation Service Company, 7716 Old Canton Road, Suite C, Madison, Mississippi 39110.

JURISDICTION AND VENUE

3. The Court has jurisdiction over the subject matter of this lawsuit under 28 U.S.C. § 1332 as it is a civil action between citizens of different states, and the amount in controversy exceeds \$75,000 exclusive of interest and costs. The plaintiff is a Mississippi citizen and the sole member of Dolgencorp, LLC is Dollar General Corporation, which is incorporated in and has its principal place of business in Tennessee.

4. The Court may assert jurisdiction over the defendant consistent with the Fourteenth Amendment.

5. Venue is proper in this Court under 28 U.S.C. § 1391 as a substantial part of the events or omissions giving rise to the claims occurred in this judicial district.

FACTS

6. Dolgencorp, LLC doing business as Dollar General Store owns and operates the store located at 1005 Union Church Road, Magnolia, Mississippi 39652. Dolgencorp, LLC owned and operated the store on January 5, 2019 at the time the plaintiff was injured.

7. On January 5, 2019, the plaintiff was a customer at the Dollar General Store in Magnolia, Mississippi.

8. On the day of the incident, the plaintiff was on her way to a funeral and came in to purchase a sympathy card. As the plaintiff walked towards the card section, she saw that the aisle was blocked by a stock person, so she turned to go down an adjacent aisle. As the plaintiff rounded the corner to walk down the aisle, she tripped and fell over what she believes to be a metal basket holder.

9. The plaintiff broke her hip when she fell. The broken hip required surgery and then rehabilitation.

COUNT ONE: PREMISES LIABILITY

10. The defendant Dolgencorp, LLC was in control or possession of the premises on which the plaintiff was injured.

11. The plaintiff was the defendant's business invitee at the time of the fall.

12. The defendant owed a duty to the plaintiff to maintain its premises in a reasonably safe condition.

13. The defendant breached its duty to the plaintiff by allowing an unreasonably dangerous condition to exist on the premises.

14. The defendant's breach of its duty owed to the plaintiff proximately caused the plaintiff's injuries and damages.

DAMAGES

15. The plaintiff suffered injuries to her hip from the fall. Her injuries have resulted in the following damages:

- a. Past and future medical expenses
- b. Past and future pain and suffering
- c. Past and future lost earnings
- d. Any other category of damages allowed under the law and supported by the evidence.

Wherefore, the plaintiff demands judgment against the defendant in an amount sufficient to compensate him for his injuries and losses.

Jury trial demanded.

Dated: March 22, 2019.

Respectfully submitted,

Louise Lenoir

By: /s/ James M. Priest, Jr.,
Her attorney

Of counsel:

W. Bobby Gill, III, MSB # 9857

bobby@glplawfirm.com

James M. Priest, Jr., MSB # 99352

jamie@glplawfirm.com

GILL, LADNER & PRIEST, PLLC

344 Highway 51, Second Floor

Ridgeland, MS 39157

(601) 352-5700 telephone

(601) 352-5353 facsimile

Gerald M. Abdalla, Jr., MSB # 101213

jerry@abdalla-law.com

ABDALLA LAW, PLLC

602 Steed Road, Suite 200

Ridgeland, Mississippi 39157

(601) 487-4590 telephone

(601) 487-4595 facsimile